

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

In re: AMR MOHSEN ) Case No.: 12-CV-03610-LHK

Debtor,

)  
ORDER DENYING AS MOOT  
APPELLANT'S MOTION TO EXTEND  
TIME TO FILE MOTION FOR  
REHEARING

AMR MOHSEN )

Appellant,

v.

CAROL WU, Chapter 7 Trustee,

Appellee.

On September 25, 2013, the Court entered an order affirming the Bankruptcy Court's Order Regarding Trustee's Final Account and Final Fee Applications of Trustee's Accountant and Attorneys. ECF No. 17. On October 3, 2013, Appellant Amr Mohsen ("Appellant") mailed to the Court and Appellee Carol Wu's ("Appellee") counsel a Motion for Leave to Extend the Time to File the Motion for Rehearing and to Compel Appellee to Provide a Copy of the Response to Appellant's Opening Brief. ("Initial Motion to Extend Time") ECF No. 19. This Motion was filed on October 10, 2013. *See id.* On October 22, 2013, the Court granted Appellant's Initial Motion to

1 Extend Time to File, extending the deadline for filing a motion for rehearing to November 4, 2013.  
2 ECF No. 21.

3 On October 28, 2013, Appellant filed a “Superseding Motion to Extend the Time to File.”  
4 (“Superseding Motion to Extend Time”) ECF No. 25. On the same day, Appellant filed a notice of  
5 appeal to the Ninth Circuit. ECF No. 23. Appellant did not file a motion for rehearing of this  
6 Court’s order affirming the Bankruptcy Court’s decision, and Appellant’s appeal to the Ninth  
7 Circuit was eventually dismissed for failure to prosecute. ECF No. 30. The Court finds that  
8 Appellant’s Superseding Motion to Extend Time was mooted by this Court’s order granting  
9 Appellant’s Initial Motion to Extend Time, as well as by Appellant’s subsequent appeal.  
10 Accordingly, the Superseding Motion to Extend Time is DENIED as moot. The Clerk shall enter  
11 judgment in favor of Appellee and close the file.

12 **IT IS SO ORDERED.**

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14 Dated: August 5, 2014

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LUCY H. KOH  
United States District Judge

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